

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

OFFICIAL WARNING
VIOLATION OF FEDERAL REGULATIONS



CASE NUMBER:
IA160013

VIOLATOR:
John Nisley
Customer# 330109
License# 42-A-1491

ADDRESS (Street, City, State, ZIP Code):
33899 Hilton Rd.
Edgewood, IA 52042

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed violations of the following sections of the Code of Federal Regulations, Title 9:

Date(s): December 29, 2015, December 10, 2015, November 30, 2015 and September 2, 2014

§2.4(b)(2) Attending Veterinarian and Adequate Veterinary Care (REPEAT)

Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include: the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care.

Date(s): December 29, 2015 and November 30, 2015

§2.50(a)(1) Time and Method of Identification (REPEAT)

A class "A" dealer (breeder) shall identify all live dogs and cats on the premises.

Date(s): December 29, 2015 and November 30, 2015

§3.1(a) Housing and Facilities (REPEAT)

Structure; construction. Housing facilities for dogs and cats must be designed and constructed so that they are structurally sound. They must be kept in good repair, and they must protect the animals from injury, contain the animals securely, and restrict other animals from entering.

Date(s): December 29, 2015 and November 30, 2015

§3.1(c)(2) Housing and Facilities (REPEAT)

Surfaces; Maintenance and replacement of surfaces. All surfaces must be maintained on a regular basis. Surfaces of housing facilities – including houses, dens, and other furniture-type fixtures and objects within the facility – that cannot be readily cleaned and sanitized, must be replaced when worn or soiled.

Date(s): November 30, 2015

§3.1(f) Housing and Facilities (DIRECT)

Drainage and waste disposal. Housing facility operators must provide for regular and frequent collection, removal, and disposal of animal and food wastes, bedding, debris, garbage, water, other fluids and wastes, and dead animals, in a manner that minimizes contamination and disease risks. Housing facilities must be equipped with disposal facilities and drainage systems that are constructed and operated so that animal waste and water are rapidly eliminated and animals stay dry. Disposal and drainage systems must minimize vermin and pest infestation, insects, odors, and disease hazards. All drains must be properly constructed, installed, and maintained. If closed drainage systems are used, they must be equipped with traps and prevent the backflow of gases and the backup of sewage onto the floor. If the facility uses sump or settlement ponds, or other similar systems for drainage and animal waste disposal, the system must be located far enough away from the animal area of the housing facility to prevent odors, diseases, pests, and vermin infestation. Standing puddles of water in animal enclosures must be drained or mopped up so that the animals stay dry. Trash containers in housing facilities and in food storage and food preparation areas must be leak-proof and must have tightly fitted lids on them at all times. Dead animals, animal parts, and animal waste must not be kept in food storage or food preparation areas, food freezers, food refrigerators, or animal areas.

The above is not intended to be an all-inclusive list. Please know that you are responsible for ensuring that your facility, animals, and property are in compliance with the Animal Welfare regulations. Inspection reports can be found on APHIS' website at:

<https://acissearch.aphis.usda.gov/LPASearch/faces/Warning.jspx>

The Animal and Plant Health Inspection Service (APHIS) created federal regulations to ensure the welfare of animals and help prevent the spread of animal and plant pests and diseases. Since violations of the regulations can have serious and costly impacts that are detrimental to the public interest, APHIS is providing you with an Official Warning for the violation(s) described above. Any further violation of these federal regulations may result in the assessment of a civil penalty, criminal prosecution, or other sanctions. If you have any questions concerning this Official Warning or violation(s), please contact the APHIS official listed in this notice.

APHIS OFFICIAL:
Gerald Rushin

OFFICE ADDRESS:
4700 River Road
Riverdale, MD 30737

APHIS OFFICIAL:
Assistant Deputy Administrator
Animal Care

DATE ISSUED:
Jan. 14, 2016

TELEPHONE NO:
(970) 494-7478

CERTIFIED MAIL RECEIPT NO: 7015 0640 0000 4063 7894